Previous references

File No. 30/C of 1920.

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2-166-E

RAILWAY SECRETARIAT

SUBJECT

Mysore Gazette Part III

Legislative Measures and Rules thereunder.

From July to December 1920.

MRM-S 11-1000-17-7-1923

Registered No. M.—1175

The Mysore Gazette

Vol. 55.] PUBLISHED BY AUTHORITY. [No. 27.

BANGALORE, THURSDAY, JULY 1, 1920.

PART III.

Legislative Measures and Rules thereunder.

NOTIFICATION.

Notification No. G. 27909—Pol. 134-18-11, dated 22nd June 1920.

Under Section 174 of the Code of Criminal Procedure, 1904, the following Daffedars are empowered to hold investigations under the above section :—

Bangalore District.

1.	Devarabhatta ...	Daffedar, I Class.	12.	Puttarangiah ...	Daffedar II Class.
2.	Ahobala Rao ...	do	13.	M. Krishna Rao ...	do
3.	Naranappa ...	do	14.	Puttanna ...	do
4.	Puttiah ...	do	15.	Narasimha Jetty ...	do
5.	Lakshman Rao ...	do	16.	Narayana Rao ...	do
6.	Narasinga Rao ...	do	17.	K. Subbiah ...	do
7.	Mudda Rangiah ...	do	18.	Achyutha Rao ...	do
8.	Y. Ranga Rao ...	do	19.	Mohadeen Sabi ...	do
9.	Naranappa ...	do	20.	B. K. Rama Rao ...	do
10.	Kesaviah ...	do	21.	Sheik Alli ...	do
11.	Desikachar ...	do	22.	T. Sankariah ...	do
			23.	C. H. Syed Nasiruddin	do

Kolar District.

1.	S. Krishnappa ...	Daffedar, I Class.	15.	Ramachandrappa...	Daffedar II Class.
2.	Karagappa ...	do Acting.	16.	Vasudeva Rao ...	do
3.	K. Venkatesiah ...	I Class.	17.	Seshagiri Rao ...	do
4.	Syed Imam ...	do	18.	Ganesha Prasad ...	do
5.	Srinivasa Rao ...	do	19.	Shama Rao ...	do
6.	Abdul Kareem ...	do	20.	Syed Hyder ...	do
7.	Suryanaranappa ...	do	21.	Venkata Rao ...	do
8.	Venkatesa Rao ...	do	22.	Ramanna ...	do
9.	Ramanna ...	II Class.	23.	Subba Rao ...	do
10.	Budan Khan ...	do	24.	Jamal Khan ...	do
11.	Krishna Rao ...	do	25.	Masthan Sabi ...	do
12.	Venkatesiah ...	do	26.	Rajachar ...	do
13.	Mahomed Ibrahim	do	27.	Krishna Rao ...	do
14.	Venkatachar ...	do			

Mysore District.

1.	H. Nanjappa ...	Daffedar, I Class.	12.	Srikantiah ...	Daffedar I Class.
2.	Ramaswamiengar	do	13.	Syed Rasool ...	II Class.
3.	Nanjundiah ...	do	14.	Narayan Singh ...	do
4.	Lakshminaranappa	do	15.	Rangappa ...	do
5.	Srinivasa Rao ...	do	16.	Ranganatha Rao ...	do
6.	Vasudeva Singh ...	do	17.	S. P. Nagappa ...	do
7.	Subbaraya Iyer ..	do	18.	Krishnappa ...	do
8.	Panchiah ...	do	19.	Krishna Singh ...	do
9.	Honnappa Naidu...	do	20.	Kasipathiah ...	do
10.	Abdul Khalik ...	do	21.	Srinivasa Rao ...	do
11.	Seetharamiah ...	do			

Chitaldrug District.

1.	Rangiah ...	Daffedar, I Class	5.	Lingappa ...	Daffedar II Class.
2.	A. Subba Rao ...	do	6.	Govinda Singh ...	do
3.	Abdul Khadir ...	II Class.	7.	A. Venkataramiah	do
4.	Krishnappa ...	do			

Hassan District.

1.	Puttiah ...	Daffedar, I Class.	7.	Tirumaladevariah.	Daffedar I Class.
2.	Narayana Rao ...	do	8.	Venkataramiah ..	do II Class.
3.	Tirumalachar ...	do	9.	Ahmed Baig ...	do
4.	Venkatasubbiah ...	do	10.	Ramiah ...	do
5.	Venkatarowta ...	do	11.	Chikveeriah ...	do
6.	G. Kalappa ...	do	12.	T. Venkatappa ...	do

Kolar Gold Fields.

1.	Kamrudeen ...	I Class Sergeant.	2.	Lakshmanachar ...	Daffedar, II Class.

French Rocks.

1.	Achia ...	Daffedar, I Class.	10.	Abdul Jabbar ...	Daffedar, II Class.
2.	Kalappa ...	do	11.	Krishnappa ...	do
3.	Sileman Bieg ...	do	12.	Chandrasekhariah	do
4.	Srinivasa Rao ...	do	13.	Gulam Ahmed ...	do
5.	H. Venkatanarasimhachar	do	14.	Thammanna ...	do
6.	Tirumalachar ...	do II Class.	15.	Venkataramiah ...	do
7.	Srinivasa Rao ...	do	16.	Srikantiah ...	do
8.	Nanjundiah ...	do	17.	Balaji Rao ...	do
9.	Venkanniah ...	do	18.	H. N. Srikantiah...	do

Shimoga District.

1.	Thimmanna	Daffedar, I Class.	17.	Giriyappa ...	Daffedar, II Class.
2.	Subba Rao ...	do	18.	Lakshmiah ...	do
3.	S. Parameswariah	do	19.	Gangappa ...	do
4.	G. Nageswara Rao	do	20.	Madan Singh ...	do
5.	H. Devappa ...	do	21.	Chunni Singh ...	do
6.	G. Venkataramaniah	do	22.	Siva Rao ...	do
7.	H. Kotrappa ...	do	23.	B. J. Fernandez ..	do
8.	Naga Naik ...	do	24.	Kalla Naik ...	do
9.	Lakshman Singh	do	25.	G. Shama Rao ...	do
10.	Paul Prabhu ...	do	26.	Narayana Sastry ...	do
11.	Gangappa ...	do	27.	G. Shankar Rama Rao	do
12.	K. Gopala Char ...	do II Class.	28.	K. Rama Rao ...	do
13.	Keroji Rao ...	do	29.	B. Nagesh Rao ...	do
14.	Gunda Char ...	do	30.	Venkataswami ...	do
15.	M. Subba Rao ...	do	31.	Boravva ...	do
16.	K. Subba Rao ...	do			

Tumkur District.

1.	C. J. Krishnamurthi Rao	Daffedar, I Class	7.	Ahobala Rao ...	Daffedar, II Class.
2.	A. M. Thambuswamy	do	8.	Hanumanthiah ...	do
3.	Dasappa ...	do	9.	Krishnappa ...	do
4.	K. S. Subba Rao ..	do II Class.	10.	Rangiah ...	do
5.	Atchyuta Rao ...	do	11.	Venkatarama ...	do
6.	Hanumanthiah ..	do			

Kadur District.

1.	Azizulla Khan ...	Daffedar, I Class.	7.	Chennappiah ...	Daffedar, I Class.
2.	Rama Rao ...	do	8.	Venkatasubbiah ...	do II Class.
3.	Nagiah Naidu ...	do	9.	Nanjunda Rao ...	do
4.	Abdul Rahman ...	do	10.	Shanthappa ...	do
5.	Tirumalachar ...	do	11.	H. Nanjappa ...	do
6.	Venkatakrishnappa	do	12.	Krishnaswami Moodr.	do

By Order,

C. S. BALASUNDARAM IYER,

Chief Secretary to Government.

Registered No. M.—1175.

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BANGALORE, THURSDAY, JULY 8, 1920.

PART III.

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. R. 14397—*Ex.* 88-19-1, *dated*, 30*th June* 1920.

Under Section 16 of the Excise Regulation and in exercise of all other powers enabling them in this behalf, the Government of His Highness the Maharaja of Mysore are pleased to frame the following rules for the sale of country beer in the State in supersession of all previous rules on the subject:—

1. The exclusive privilege of selling country beer or porter in bulk or in sealed bottles for each year or such other period as may from time to time be ordered by Government, shall be disposed of by public auction or otherwise as Government may from time to time direct.

2. The sale of country beer in the State shall be subject to the general and special conditions laid down in the rules regulating sales of excise privileges (embodied in Notification No. R. 9208—Ex. 14-18-9, dated, 13th February 1920) as amended from time to time and the periodical notifications regulating sales of excise privileges.

3. The Excise Commissioner shall publish a schedule of country beer shops to be sold along with the periodical sale notifications of excise privileges published by him with the previous approval of Government.

By Order,

B. RAMASWAMAIYA,

Secretary to Government, Revenue Department.

Registered No. M.—1175

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BANGALORE, THURSDAY, JULY 15, 1920.

PART III.

Legislative Measures and Rules thereunder.

REGULATION No. V OF 1920.

(Received the assent of His Highness the Maharaja on the 12th day of June 1920.)

A Regulation further to amend the Mysore Excise Regulation, 1901.

Whereas it is expedient further to amend the Mysore Excise Regulation, 1901, His Highness the Maharaja is pleased to enact as follows :—

Amendment of section 3 of the Regulation.

1. In section 3 the following amendments shall be made,—

(1) At the end of sub-section (8) after the word "distillation" the words "whether it is denatured or not" shall be inserted.

(2) After sub-section (8) the following new sub-section shall be inserted: "(8 A). 'Denatured' means subjected to a process prescribed by the Government by notification in the official Gazette for the purpose of rendering unfit for human consumption."

(3) In sub-section (11) the word "or" occurring between the words "Batavia" and "Ceylon" shall be omitted and the words "or any other country which may be specified in the rules framed by Government from time to time in this behalf." shall be added at the end thereof.

(4) In sub-section (13) the words "or the coca plant (*Erythroxylum coca*)" shall be inserted after the words "the hemp plant (*Cannabis sativa or Indica*)".

(5) After sub-section (17) the following sub-section shall be inserted,—

"(17 A.) 'Cultivation' includes the tending or protecting of a plant during growth and does not necessarily imply raising it from seed."

(6) After sub-section (18) the following sub-section shall be inserted,—

"(18 A.) 'bottle' means to transfer liquor from a cask or other vessel to a bottle, jar or flask or similar receptacle for the purpose of sale whether any process of manufacture be employed or not and includes rebottling."

(7) After sub-section (20) the following sub-section shall be added,—

"(21) 'Police Station' includes any place which the Government may, by notification, declare to be a Police station for the purposes of this Regulation."

Amendment of section 12.

2. In section 12 the following amendments shall be made:—

(1) In the first paragraph after the words "hemp plant (*cannabis sativa* or *Indica*)" the words "or coca plant (*Erythroxylum coca*)" shall be inserted.

(2) Between the third and the fourth paragraphs after the words "no toddy shall be drawn from any tree" the following paragraph shall be inserted,—

"no portion of the hemp or coca plant from which any intoxicating drug can be manufactured shall be collected."

(3) The word "and" occurring after the words "no distillery or brewery shall be constructed or worked" shall be omitted and the following new paragraph substituted after the same.—

"no liquor shall be bottled for sale; and"

Amendment of section 13

3. In section 13 the following amendments shall be made:—

(1) In the first paragraph of the section for the words "for the whole of Mysore or for any local area" the words "or specially with regard to persons, places or time," shall be substituted.

(2) In proviso (2) to the section after the words "foreign liquor" the words "other than denatured spirit" shall be inserted and for the words "purchased by" the word "of" shall be substituted.

Addition of section 13 A.

4. After section 13 the following new section shall be inserted.

Prohibition of possession of any liquor or intoxicating drug.

"13 A. Government may by notification prohibit the possession by any person or class of persons either throughout the whole of Mysore or in any local area, of any liquor or intoxicating drug either absolutely or subject to such conditions as they may prescribe."

Amendment of section 15.

5. In section 15 the following amendments shall be made:

(1) After the words "intoxicating drugs" at the end of the first proviso the words "or to any officer whom the Excise Commissioner may generally or specially authorise" shall be inserted.

(2) For the second proviso the following shall be substituted.—

"Provided also that a license for sale in more than one district shall be granted by the Excise Commissioner."

(3) In the third proviso to the section the words "by notification" shall be substituted for the words "in like manner" and the words "under such conditions as the Excise Commissioner may prescribe" for the words "in pots or other receptacles freshly coated internally with lime, for the purpose of the manufacture of jaggory."

(4) At the end of the section the following new clause shall be inserted—

"nothing in this section applies to the sale of any foreign liquor legally procured by any person for his private use and sold by him or by auction on his behalf or on behalf of his representatives in interest upon his quitting a station or after his decease."

Amendment of section 17.

6. In section 17 the following amendments shall be made.—

(1) After paragraph (*e*) of the section the following new paragraph shall be inserted.—

"(*ee*) issued from a distillery or warehouse licensed or established under section 12 or section 14, or"

(2) The proviso to the section shall be omitted.

Amendment of section 18.

7. In section 18 the following amendments shall be made:—

(1) In clause (*a*) of the section for the words "the distillery or brewery" the words "a distillery, brewery or warehouse licensed or established under section 12 or section 14" shall be substituted.

(2) At the end of clause (*b*) of the section the words "or issued from a warehouse licensed or established under section 14." shall be added.

(3) In clause (*f*) the words "import, export or" shall be inserted before the word "transport."

(4) At the end of the section the following proviso shall be inserted.

"Provided that when there is a difference of duty, as between two license periods such difference may be collected in respect of all stocks of country liquor or intoxicating drugs held by licensees at the close of the former period."

Amendment of section 26.

8. In clause (*c*) section 26 of the Regulation after the words "non-bailable offence" the words "or of any offence under the Merchandise Marks Regulation, 1892, or under sections 478 and 489 of the Indian Penal Code, 1860" shall be inserted.

Substitution of a new section for section 27.

9. For section 27 of the Regulation the following shall be substituted:—

"27. Every person who manufactures or sells any liquor or intoxicating drugs under a license granted under this Regulation shall be bound—

(*a*) to supply himself with such measures, weights and instruments as Government may prescribe and to keep the same in good condition; and

(*b*) on the requisition of any Excise Officer duly empowered in that behalf at any time to measure or weigh any liquor or intoxicating drug or test any liquor in his possession in such manner as the said Excise Officer may require."

Substitution of a new section for section 29. Power to frame rules.

10. For section 29 of the Regulation the following new section shall be substituted:—

"29 (1) Government may make rules for the purpose of carrying out the provisions of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing provision Government may make rules,—

(*a*) regulating the mode in which toddy may be supplied to licensed vendors of the same or to persons who distill spirits from it, or who use it in the manufacture of bread or jaggory;

(*b*) for determining the number of licenses of each description to be granted in any district or place;

(*c*) for regulating the number, size and description of stills, utensils, implements and apparatus to be used in any distillery;

(*d*) prescribing the instruments to be used in the testing of liquor and the tables of corrections according to temperature to be used therewith;

(*e*) prescribing the measures to be used for the sale of country liquor and the scales and weights to be used for the sale of intoxicating drugs;

(*f*) fixing for any local area the minimum price below which any country liquor shall not be sold or the retail price of any such liquor and the wholesale and retail prices of intoxicating drugs;

(*g*) defining when liquor or drugs or any kind of liquor or drugs shall be deemed to be sold retail or wholesale;

(*h*) for the warehousing of liquor and intoxicating drugs and for the removal of the same from any warehouse in which they are deposited for deposit in any other warehouse or for local consumption or for export;

(*i*) for the inspection and supervision of stills, distilleries, private warehouses and breweries;

(*j*) for the management of any public distillery or public warehouse established under section 14;

(*k*) for regulating the cultivation of hemp and coca plants, checking their spontaneous growth, the collection of those portions of such plants from which intoxicating drugs can be manufactured and manufacture of such drugs therefrom and providing, where necessary, for the extirpation from private holdings or Government lands, of such plants;

(*l*) for placing the preparation of intoxicating drugs and the storage, import, export, possession or transport of liquor or intoxicating drugs under such supervision and control as may be deemed necessary for the purposes of this Regulation;

(*m*) prohibiting the use of any article which the Government shall deem to be noxious or otherwise objectionable in the manufacture of liquor or of any intoxicating drug;

(*n*) for the grant of batta to witnesses and of compensation for loss of time to persons released by any Excise Officer under section 40 (3) of this Regulation on the ground that they have been improperly arrested and to persons charged before a magistrate with offences under this Regulation and acquitted;

(*o*) declaring the process by which spirit manufactured in or imported into the State shall be denatured;

(*p*) for causing such spirit to be denatured through the agency or under the supervision of the Excise Officers;

(*q*) for ascertaining whether such spirit has been denatured;

(*r*) regulating the power of Excise Officers to summon witnesses from a distance under section 44;

(*s*) regulating the bottling of liquor for purposes of sale;

(*t*) for the disposal of articles confiscated and of the proceeds thereof;

(*u*) declaring in what cases or classes of cases and to what authorities appeals shall lie from orders, whether

original or appellate, passed under this Regulation or under any rule made thereunder, or by what authorities such orders may be revised and prescribing the time and manner of presenting appeals, and the procedure for dealing therewith.

Amendment of section 31.

11. In section 31 of the Regulation for the words "any Excise or Police Officer not below the rank of Inspector or a Police Station Officer" the words "any Police Officer not below the rank of an officer in charge of a Police Station or any Excise Officer of a rank not below that to be specified from time to time by Government by a notification in the official Gazette" shall be substituted.

Amendment of section 48.

12. At the end of section 48 insert the following sentence:—

"The officer may also, if he considers it necessary for the investigation of the case, exercise the powers conferred by sections 44 to 47 before summoning the person suspected."

Amendment of section 55.

13. In section 55 of the Regulation the following amendments shall be made—

(1) At the end of clause (*c*) of the section the following shall be added,—

"or the coca plant (*Erythroxylum coca*) or collects any portion of such plants from which an intoxicating drug can be manufactured; or"

(2) The following new clause shall be inserted after clause (*g*),—

"(*gg*) bottles any liquor for purposes of sale; or"

Addition of a new section after section 55.

14. After section 55 the following new section shall be inserted:—

For rendering or attempting to render denatured spirit fit for human consumption.

"55A. Whoever renders or attempts to render fit for human consumption any spirit whether manufactured in Mysore State or not, which has been denatured, or has in his possession any spirit in respect of which he knows or has reason to believe that any such attempt has been made, shall on conviction before a Magistrate be liable to imprisonment for a term which may extend to three months or to fine which may extend to one thousand rupees or both. For the purpose of this section it shall be presumed unless and until the contrary is proved that any spirit which is proved on chemical analysis to contain any quantity of any of the prescribed denaturants is or contains or has been derived from denatured spirit.

Amendment of section 56.

15. In the first paragraph of section 56 for the words "a person in the employ of such holder" the words "being in the employ of such holder and acting on his behalf" shall be substituted and in clause (*b*) of the section for the words "does any act" the words "wilfully does or omits to do anything" shall be substituted.

Omission of section 62.

16. Section 62 of the Regulation shall be omitted.

Amendment of section 65.

17. In section 65 the words "or by means of" shall be inserted after the words "in respect of."

Amendment of section 66.

18. At the end of section 66 the following proviso shall be added:—

"Provided further that if the thing in question is liable to speedy and natural decay or if the Excise Commissioner or any other officer authorised by Government in that behalf is of opinion that the sale would be for the benefit of its owner, he may at any time direct it to be sold, and the provisions of this section shall, as nearly as may be practicable, apply to the net proceeds of such sale."

Amendment of section 67.

19. In section 67 of the Regulation for the words "section 56" the words "section 55 or section 56 or section 57 or section 58" shall be substituted.

Addition of a new section after section 68.

20. After section 68 the following new section shall be added as section 68 A.

Excise Advisory Committees.

"68 A—Any Local Authority empowered by Government in this behalf may appoint Excise Advisory Committees in accordance with rules prescribed by Government for the purpose. The rights and duties of such Excise Advisory Committees under this Regulation shall be such as may be provided for by rules made in this behalf by Government from time to time and published in the official Gazette."

Substitution of a new section for section 71. Exception of medicated articles.

21. For section 71 of the Regulation the following new section shall be substituted :—

"71. Government may by notification, either wholly or partially, subject to such conditions as it may think fit to prescribe, exempt any liquor or intoxicating drug from all or any of the provisions of this Regulation, either throughout the State or in any specified area or for any specified period or occasion or as regards any specified class or persons."

M. KANTARAJ URS,
Dewan.

Registered No. M.—1175.

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BANGALORE, THURSDAY, JULY 22, 1920.

PART III.

Legislative Measures and Rules thereunder.

REGULATION No. VII OF 1920.

(Received the assent of His Highness the Maharaja on the 5th day of July 1920.)

Regulation further to amend the Mysore Forest Regulation, 1900.

Whereas it is expedient further to amend the Mysore Forest Regulation, 1900; His Highness the Maharaja is pleased to enact as follows:—

Amendment of section 2 of the Regulation.

1. In sub-section (5) (*a*) of section 2, the words "sandalwood oil" shall be inserted after the words "wood oil."

2. For the present section 75 the following shall be substituted:—

Amendment of section 75 of the Regulation.

75. "No person shall sell or attempt to sell sandalwood, or manufacture or distil or attempt to manufacture or distil oil from sandalwood, or redistil, refine or sell or attempt to redistil, refine or sell oil extracted from sandalwood, except under a license granted by such authority and subject to such restrictions and conditions as Government may, from time to time, prescribe in this behalf."

M. KANTARAJ URS,
Dewan.

Registered No. M.—1175

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BANGALORE, THURSDAY, SEPTEMBER 2, 1920.

PART III.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. G. 4878—*Legis.* 47-19-1, *dated* 31*st August* 1920.

In exercise of the powers conferred by Section 5 of the Mysore Legislative Council Regulation, 1907, the Government of His Highness the Maharaja are pleased to direct that in the second sentence of Rule IV of the rules for the election of members to the Legislative Council by the members of the Representative Assembly published under Notification Camp No. A, dated 11th October 1913, the words "either before or after such nomination" shall be inserted between the words "efflux of time" and "an election."

By Order,
C. S. BALASUNDARAM IYER,
Chief Secretary to Government

No. G. 4879—*Legis.* 47-19-2, *dated* 31*st August* 1920.

In exercise of the powers conferred by Section 5 of the Mysore Legislative Council Regulation, 1907, the Government of His Highness the Maharaja are pleased to direct that after Rule 10 of the rules for the election of members to the Legislative Council from Districts published under Notification No. 10343—Legis. 4-19-1, dated 15th November 1919, the following rule shall be added :—

"10 A. When any of the members so nominated has to vacate his seat by efflux of time under section 6 of the Regulation, an election shall be held for filling up the vacancy in accordance with these rules. In the case of a vacancy occurring otherwise than by efflux of time among the elected members, either before or after nomination, an election to fill up the vacancy shall be held in accordance with these rules."

By Order,
C. S. BALASUNDARAM IYER,
Chief Secretary to Government.

No. G. 4880—*Legis.* 47-19-3, *dated* 31*st August* 1920.

In exercise of the powers conferred by Section 5 of the Mysore Legislative Council Regulation, 1907, the Government of His Highness the Maharaja are pleased to direct that after Rule 9 of the rules for the election of a member to the Legislative Council by the University published under Notification No. G. 14908—Legis. 20-19-1, dated 2nd January 1920, the following new rule shall be added :—

"10. When the member so nominated has to vacate his seat by efflux of time under Section 6 of the Regulation, an election shall be held for filling up the vacancy in accordance with these rules. In the case of a vacancy occurring otherwise than by efflux of time, either before or after nomination, an election to fill up the vacancy shall be held in accordance with these rules."

By Order,
C. S. BALASUNDARAM IYER,
Chief Secretary to Government.

No. R. 3011—*Ex.* 102-19-2, *dated* 31*st August* 1920.

Under Section 16 of the Excise Regulation and in exercise of all other powers enabling them in this behalf, the Government of His Highness the Maharaja of Mysore are pleased to amend the Rules regulating the sales of Excise privileges (embodied in notification No. R. 9208—Ex. 14-18-9, dated 13th February 1920) as follows :—

Substitute the following for the second sentence in para 17 of Chapter II. Conditions of auction sale :—

"It may be credited towards the shop rent due by licensees for the last month of the lease, provided sufficient security is given by them for recouping any further demands, such as fines, etc., that may accrue during the lease ; this concession will not however apply in cases of toddy licensees, whose deposits should be returned only after the expiry of the period of the lease and after adjustment of all dues payable to Government.

By Order,
C. S. BALASUNDARAM IYER,
Chief Secretary to Government,
Revenue Department.

Registered No. M.—1175.

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BANGALORE, THURSDAY, OCTOBER 28, 1920.

PART III.

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. Leg. Cl. 131, *dated* 21st October 1920.

A meeting of the Mysore Legislative Council will be held in the Public Offices Buildings, at Bangalore at 12 noon on Monday the 22nd November 1920.

By Order,

P. MAHADEVAYYA,
Secretary, Mysore Legislative Council.

NOTIFICATION.

No. R. 5197—Ex. 59-20-3, dated 15th October 1920.

Under Section 16 of the Mysore Excise Regulation, V of 1901, and in exercise of all other powers enabling them in this behalf, the Government of His Highness the Maharaja of Mysore are pleased to make the following amendment to the Rules regulating the sales of Excise privileges, as embodied in Notification No. R. 9208—Ex. 14-18-9, dated 13th February 1920.—

In Clause (9) of paragraph XI of the conditions applicable to opium licenses, omit the following sentence, "He shall also record in his account book full details of every sale of opium in the shop, *viz.*, the quantity sold and address of the purchaser."

By Order

B RAMASWAMAIYA,
Secretary to Government,
Revenue Department.

Registered No. M.—1175.

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BANGALORE, THURSDAY, NOVEMBER 4, 1920.

PART III.

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. R./5370—*I. T.* 5-20-18, *dated 26th October* 1920.

In exercise of the powers conferred by section 43 of the Mysore Income-tax Regulation, the Government of His Highness the Maharaja of Mysore are pleased to direct that the words "eight annas" be substituted for "Rs." at the end of the second sentence in instruction 15 of Form D prescribed under Rule 12 of the Mysore Income-tax Rules, issued with Government Notification No. R. 13899—S. R., dated 19th June 1920.

By Order,
C. S. BALASUNDARAM IYER,
Chief Secretary to Government.

Registered No. M.—1175.

The Mysore Gazette

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BANGALORE, THURSDAY, NOVEMBER 18, 1920.

PART III.

Legislative Measures and Rules thereunder.

Notification No. G. 9273—Geol. 67-19-12, dated 12th November 1920.

In Notification No. G. 27731—Geol. 67-19-8, dated 19th June 1920, the draft of an amendment proposed to be made in the proviso to condition 2 of License Form E prescribed in the Rules under the Mysore Explosives Regulation II of 1888 was notified and suggestions and objections were invited from the public on or before 1st September 1920. As no suggestions or objections have been received, Government after duly considering the amendment proposed are of opinion that it is suitable and necessary. The following amendment is accordingly made in the said rules.

In the proviso to condition 2 of License Form E prescribed under the Revised Explosives Rules of 1917 for the possession of gunpowder or other explosives required *bona fide* for blasting purposes, for the words "Provided that 50 lbs. of gunpowder may be kept inside a dwelling house, etc.," read "provided that 30 lbs. of gunpowder and 10 lbs. of any other explosive and 100 detonators may be kept inside a dwelling house, etc."

The condition referred to above with the proviso as revised will read as follows:—

2. "The Explosive shall be kept in a substantially constructed uninflammable building approved by such officer as the Government may prescribe or in a fireproof safe separated from any dwelling house, highway, street, public thoroughfare or public place by a distance of 50 yards and made and closed so as to prevent unauthorised persons from having access thereto, and to secure it from danger from without."

"Provided that 30 lbs. of gunpowder and 10 lbs. of any other explosive and 100 detonators may be kept inside a dwelling house or in any building other than as last aforesaid in a receptacle exclusively appropriated to keeping explosives."

By Order,

C. S. Balasundaram Iyer,
Chief Secretary to Government.

Registered No. M.—1175.

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BANGALORE, THURSDAY, NOVEMBER 25, 1920.

PART III.

Legislative Measures and Rules thereunder.

ERRATUM.

No. 221—*L. C., dated* 22*nd November* 1920.

In the proceedings of the meeting of the Legislative Council held on the 15th and 16th June 1920 printed as a supplement to the *Mysore Gazette*, dated the 11th November 1920, for "Mr. Shankaranarayana Rao, M.A., B.L., and Mr. M. A. Narayana Iyengar, B.A. B.L.," in the list of official members present at the meeting read "Mr. C. S. Doraswami Iyer, B.A., B.L., and Mr. K. R. Srinivasiengar, M.A., respectively."

By Order,

P. MAHADEVAYYA,
Secretary, Mysore Legislative Council.

Registered No. M.—1176.

The Mysore Gazette

Vol. 55.] PUBLISHED BY AUTHORITY. [No. 49.

BANGALORE, THURSDAY, DECEMBER 9, 1920.

PART III.

Legislative Measures and Rules thereunder.

Bill to amend the Mysore State Life Insurance Regulation, 1917,

Whereas it is expedient to amend the Mysore State Life Insurance Regulation, 1917; His Highness the Maharaja is pleased to enact as follows:—

Amendment of Section 3.

In Section 3 of the Regulation for the figure 'Rs. 1,000' the figure 'Rs. 2,000' shall be substituted.

Statement of Objects and Reasons.

Under Regulation IV of 1917, the President of the State Life Insurance Committee is authorised to disburse to such person as he finds entitled after reasonable enquiry the bonus due to the estate of a deceased policy-holder without the production of a succession certificate, probate orletters of administration, when the amount payable does not exceed Rs. 1,000, as the insured in such cases are generally poor and the expense and delay of obtaining a certificate of heirship from a Court of Law would involve great hardship to their dependents. The Insurance Committee have recommended that this concession may be extended to the payment of bonuses up to Rs. 2,000. The proposal is supported by the analogy of the law in force in British India in regard to the payment of sums standing at the credit of deceased subscribers to the Government or Railway Provident Fund.

The present Bill is intended to give effect to the recommendation of the Insurance Committee.

By Order,

P MAHADEVAYYA,

Secretary, Mysore Legislative Council.

make the following rules for the registration of firms under Section 2 (12-A) of the aforesaid Regulation :—

1. Any firm constituted under an instrument of partnership specifying the individual shares of the partners may, for the purposes of clause 12-A of Section 2 of the Mysore Income Tax Regulation, 1920 (hereinafter in these rules referred to as the Regulation), register with the Collector the particulars contained in the said instrument on application in this behalf made by the partners or by any of them in the manner hereinafter provided.

2 The application referred to in Rule 1 shall be made in Form 1 annexed to these rules and shall have attached to it a statement which shall be signed and verified by the partner or partners as the case may be and shall contain the following particulars :—

(*a*) Name and address of the Firm
(*b*) Nature and description of the trade or business
(*c*) The year in which the Firm was constituted
(*d*) Names of the partners with their addresses.
(*e*) Nature and extent of interest of each partner and the share of profits allotted to him
(*f*) The branches, if any, of the Firm and the place or places where they are situate.

3. The application shall be accompanied by the original instrument of partnership under which the Firm is constituted together with a copy thereof : provided that if the Collector is satisfied that for some sufficient reason the original instrument cannot conveniently be produced, he may accept a copy of it certified in writing by one of the partners to be a correct copy and in such a case the application shall be accompanied by a duplicate copy.

4. On the production of the original instrument of partnership or on the acceptance by the Collector of a certified copy thereof, the Collector shall, if he is satisfied that the particulars in the application are correct and complete enter in a register kept for the purpose the particulars of the application and shall endorse in writing at the foot of the instrument or copy as the case may be, the following certificate, *viz* :—

"This instrument of partnership (or this certified copy of an instrument of partnership) has this day been registered with me the Collector of Income Tax for.....in the District of under clause (12-A) of Section 2 of the Mysore Income Tax Regulation, 1920. This certificate or registration has effect from the.....day of .....19 .

(2) The certificate shall be signed and dated by the Collector who shall thereupon return to the applicant the instrument of partnership of the certified copy thereof, as the case may be and shall retain the copy or duplicate copy thereof.

5. If the Collector is not satisfied that the particulars in the application are correct and complete, he shall call upon the applicant by notice to appear on a date fixed and on the omission being rectified or supplied to the Collector's satisfaction shall proceed to register and certify the application as laid down in rule 4. In default of the appearance of the applicant or for other reasons the collector may without assigning reasons reject the application for registration and his order shall be final.

6. If an application under Rule 2 is made in any financial year not later than the last date fixed under Section 17 of the Regulation for the furnishing by the Firm of the return mentioned therein or than such later date as the Collector may fix for the making of the application the certificate of registration granted under Rule 4 shall have effect from the beginning of that year.

7. A certificate of registration granted under Rule 4 shall save as herein after provided in these rules have effect up to the end of the financial year in which it is granted but shall be renewed by the Collector from year to year on application made to him in that behalf on or before the date on which the return required by Section 17 of the Regulation is furnished and accompanied by a certificate signed by one of the partners of the Firm that the constitution of the Firm as specified in the instrument of partnership remains unaltered. Such renewals shall have effect from the beginning of the financial year in which it is made.

8. If at any time the Firm ceases to be constituted under the instrument of partnership registered with the Collector or any addition to or alteration of the instrument of partnership is made the certificate of registration of the Firm shall cease to have effect from the date of such cessation, addition or alteration ; provided that if within one month from the date of such cessation, addition or alteration, notice thereof is given to the Collector accompanied by a fresh application under Rules 2 and 3, a certificate of registration granted on such application shall have effect from the said date.

FORM 1.

Application for registration of a Firm under Section 2, Clause (12—A) of the Mysore Income Tax Regulation, VI of 1920. dated 1920-21.

To—The Collector of Income Tax.

Registered No. M.—1175

The Mysore Gazette

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BANGALORE, THURSDAY, DECEMBER 16, 1920.

PART III.

Legislative Measures and Rules thereunder.

Notification No. R. 6772—*Ex.* 66-20-7, *dated 6th December* 1920.

In supersession of Notification No. 10869—Ex. 78-18-6, dated 22nd February 1919, it is hereby notified for general information that with effect from 1st July 1921 the price at which Government sells opium to licensed vendors will be raised from Rs. 50 to Rs. 60. per seer of 80 tolas.

Notification G. 11314—*Legis.* 12-20-4, *dated 8th December* 1920.

Under Section 9 (1) of the Mysore Motor Vehicles Regulation, 1913, Government are pleased to publish for general information, the following draft rule proposed to be issued under the said section for further amending Rule 2 of the Mysore Motor Vehicles Rules, 1914.

2. The draft rule together with any suggestions that may be received will be taken into consideration on the 20th December 1920.

Draft Rules.

In exercise of the powers conferred by Section 9 of the Mysore Motor Vehicles Regulation, 1913, the Government of His Highness the Maharaja are pleased to direct that in Rule 2 of the Motor Vehicles Rules, 1914, issued with Government Notification No. J. 2016—Legis. 17-13-5, dated the 19th January 1914, as amended by Notification No. G. 871—Legis. 11-10-29, dated 16th July 1918, the words "and motor scooters," be inserted after the words "Motor cycles".

Notification G. 11317—*Legis.* 20-20-2, *dated 8th December* 1920.

In exercise of the powers conferred by Section 11 of the Mysore Motor Vehicles Regulation, 1913, the Government of His Highness the Maharaja of Mysore are pleased to prohibit within *the whole of the Bangalore District*, the letting of plying for hire of any motor vehicle except under a permit granted under the said section.

This notification modifies Government Notification No. J. 1680 Legis. 28-13-15, dated the 8th November 1916, *so far as the Bangalore District is concerned.*

Notification No. R. 6593—*I. T. S.* 20-24 *dated, 2nd December* 1920

In exercise of the powers vested in them, under Section 43 sub-section (1) of the Mysore Income Tax Regulation, 1920, the Government of His Highness the Maharaja are pleased to

I—We.....beg to apply for the registration of my—our Firm under Section 2, clause (12-A) of the Mysore Income Tax Regulation, 1920.

2. The original—A certified copy of the instrument of partnership under which the Firm is constituted specifying the individual shares of the partners together with a copy—duplicate copy thereof is enclosed.

No. R.—6596 *I. T.* 14-20-7, *dated 2nd December* 1920.

In exercise of the powers vested in them under Section 43, Sub-section (1) of the Mysore Income Tax Regulation, VI of 1920, the Government of His Highness the Maharaja are pleased to sanction the following rules in respect of the rates of percentage allowances for depreciation of buildings, machinery and plant under section 9 (2) (vi) of the Regulation.

(*a*)	Class of Plant.	Rate allowed Percentage on prime cost.
1.	Buildings.	
	1. First class substantial buildings of selected materials	$2\frac{1}{2}$
	2. Buildings of less substantial construction	5
	3. Purely temporary erections such as wooden structures	10
	(*a*) Double these rates may be allowed for buildings used in industries which cause special deterioration such as chemical works, soap and candle works, paper mills and tanneries.	
	(*b*)	
2.	Machinery and Plant	
	General rate	5
	Rates sanctioned for special industries :—	
	Flour Mills, Rice Mills, Bone Mills, Sugar works, Distilleries, Ice Factories, aerating Gas Factories, Match Factories	$6\frac{1}{4}$
	Paper mills and Engineering works, Iron and Brass foundries, Electrical Engineering works, Motor car repairing works Galvanising works, Patent Stone works, Oil extraction factories, Chemical works, Soap and Candle works, Lime works Saw mills, Dyeing and bleaching works, Furniture and plant in hotels and boarding houses, Cement works using rotary kilns.	$7\frac{1}{2}$
	Plant used in connection with brick manufature, tile making machinery, optical machinery, glass factories, surgical and dental instruments, Telephone companies	10
	Sewing machines for canvas or leather	$12\frac{1}{2}$
	Motor cars used solely for the purpose of business	15
	Motor tax is, motor lorries and motor buses	20
	(*b*) The special rates for electrical machinery given below may be adopted at firm's option, for that portion of their machinery.	
3.	Electrical Machinery—	
	(*a*) Batteries	15
	(*b*) Other electrical machinery, including electrical generators, motors, switchgear and instruments, transformers and other stationery plant and wiring and fittings of electric light and fan installations.	$7\frac{1}{2}$
	(*c*) Underground cables and wires	6
	(*d*) Overhead cables and wires	$2\frac{1}{2}$

By order,

G. ARAVAMUDUIENGAR,

Secretary to Government, Revenue Department.

CENSUS 1921.

The following extract from the Mysore Census Code containing instructions issued to Enumerators under Section 15 of the Census Regulation II of 1920 is hereby published for general information

CHAPTER VIII.—INSTRUCTIONS TO ENUMERATORS.

NOTE.—*For the sake of brevity and emphasis the instructions are addressed direct to the Enumerators in the second person.*

SECTION I.—INTRODUCTORY.

Introduction.

1. Although you are but one of a very large number of officers appointed for taking the Census of the population of Mysore, you should understand that you are one of the most important and trusted of them. The greater the care and trouble you bestow upon the correct writing up of the Enumeration Books, entrusted to you, the more successful will the Census prove to be. Therefore do your best.

Object of the Census.

2. You should yourself understand, and you should explain to all concerned, that the object of the Census is to count the number of living persons, and to ascertain mainly how many of them belong to each sex, to each religion, to each caste and sub-caste, what occupations they pursue, and what their condition is in regard to marriage, education and certain specified infirmities. The object has no reference whatever, to the superiority or the inferiority of one religion or caste in relation to another, or of one person or family in relation to another, and so forth. Therefore, let there be no hesitation in people stating and in your recording, truly and correctly, the particulars required in regard to all living persons of whatever age, sex or rank.

Brief resume of the Enumeration Procedure.

3. "Enumeration" is the process of recording in printed and ruled forms called General Schedules the above particulars in respect of every person residing in the area assigned to you (block). A detailed description of your block is given in the "Block-List" forming part of the Enumeration Book supplied to you. The principal rules regarding the manner in which you will have to fill up the several columns of the Schedule, are printed on the cover of the Enumeration Book. They are described at length *infra*. You must study these instructions carefully. If in doubt on any point you must consult your Supervisor.

First Round. Practice Enumeration.

4. You will have to visit the houses in your block three times. During the first round your Supervisor will initiate you into your work by himself enumerating the inhabitants of the first two or three houses in your block. You must watch carefully how he does this, and then follow on similar lines in regard to the whole, or such portion, of the remaining houses in your block as he may direct. After you have finished the work, you must submit it for the inspection of your Supervisor who will revise it, and point out any mistakes which may have been committed. This procedure constitutes what is known as, "trial," "practice" or "draft" enumeration. You need not make any entries on blank pieces of paper as was recommended to be done last time. You should make all the entries in the draft Enumeration Book itself.

Second Round. Preliminary Enumeration.

5. During the second round, you must fair-copy into another Enumeration Book which will be supplied to you for the purpose, the draft or trial entries, as revised and corrected by your Supervisor. If at the first round, you have enumerated only a portion of your block, you must at this round *complete* the whole of your block, and submit the book for the inspection of your Supervisor. On points of further detail your Supervisor will give you necessary instructions. This constitutes what is known as "Preliminary Enumeration."

6. During the third and final round on the night of 18th March 1921, you must visit all the houses in your block, as well as any Musafir-khanas, bandy stands, and other places of encampment, and bring the preliminary record up-to-date by striking out the names of all persons who may have died or left the block, since the date of preliminary enumeration, and entering the particulars of all infants newly born, and new arrivals since the same date. This constitutes what is known as "Final Enumeration." Third Round. Final Enumeration.

7. The procedure to be adopted at each of these stages is described in detail *infra* in Sections 2 and 3.

SECTION 2.—PROCEDURE DURING THE FIRST AND SECOND ROUNDS. "PRACTICE OR DRAFT" AND "PRELIMINARY" ENUMERATION.

8. You should visit every house to which a separate number has been affixed in the order in which the houses are entered in your block-list and fill up the several columns of the Schedule in accordance with the rules given below. Every house to be visited.

The rules are the same both for "practice or draft" as well as "preliminary" enumeration.

9. If in the course of your rounds, you find any house without a number, you should report the case to your supervisor and meanwhile proceed to fill up the particulars for that house adopting a fractional number intermediate between the number last written and the next in the series, thus 26—1 between No. 26 and 27 and so on. Treatment of houses without number.

10. You must use *good black ink only* and write neatly. and legibly in Kannada generally. *Red ink should be used only on the final Census night.* Ink to be used.

11. You must use a separate enumeration book for each block and leave a line or space blank between the entries for one *occupied* house and another. In the case of an unoccupied house, write empty, against it in column 2, and leave the rest of the line blank. Be careful to write the particulars of only *one* person between two horizontal lines. General instructions about writing up Enumeration Book.

12. You must next fill up the several columns of the schedule in accordance with the following rules :— Rules for filling up the several columns of the Schedule.

N.B.—Proceed to make the entries vertically instead of horizontally, *i.e.*, fill up the several columns consecutively one after the other, in respect of every person mentioned in column 3 instead of writing up the particulars of one person completely before proceeding with the next and so on. Thus, in respect of each person in a family, fill up first column 3, then column 4, then column 5 and so on.

Rule 1, *Column* 1.—(House numbers) Here enter the number of the house. If it is unoccupied write "empty" after the number in column 2, and leave the rest of the line blank Deal similarly with a house to which a house-hold schedule has been issued writing "House-hold Schedule" instead of "empty" in columns 2 and 3 against the house number. If you find a "dwelling house" (*Vide* Article 2 of Chapter III for definition) without a number proceed as directed in Article 9 *supra*. Be careful to enter the *next* house number only after you have completely enumerated the inhabitants of the *preceding* house. Write the word continued under the house number when the entries are continued from the previous page.

Rule 2, *Column* 2.—(Serial number of person enumerated.) *You should not fill up this column until after the final enumeration is over,* when the serial number for all persons enumerated will be filled up, generally by your Supervisior himself.

Rule 3, *Column* 3.—(Name.) Ask who is the head of the family enter his or her name first in this column. Then enquire the names of the other members of the family, and the commensal resident servants, if any, and write down their names next prefixing his or her

relationship to the head, *e.g.*, son X, daughter Y, servant Z and so on. If there be any objection made to giving the name of a female write the word "female" for the name, and fill up the rest of the columns for her as usual. If an infant has not yet been named, enter the word 'infant.' If any female is unwilling to give her own or her husband's name, you must ask some one else for the information.

Enter the names of all commensal persons permanently residing in the house in this column, *including those who may be casually absent at the time of your visit, provided they are likely to return before the night of the final Census.* Conversely casual visitors who will return to *their* own houses before final Census should be omitted.

Rule 4, *Column* 4.—(Religion). Ask the head of the family to which of the following religions (*viz.*, Hindu, Musalman, Jain, Sikh, Christian Parsi, Jew, Buddhist) each of the person shewn in column 3 belongs, and enter it in this column. In the case of Christians the sect also, should be entered alongside. In the case of aboriginal tribes and others who do not belong to any of the foregoing religions, enter the name of the tribe, etc., which they return, *e.g.*, Soliga, Korma, etc. A list of the principal religions and sects commonly returned is given in the Appendices to this Part.

If two or more persons belong to the same religion, do not write "ditto" in this column but repeat the name of the religion against each such person.

Rule 5, *Column* 5.—(Sex). Here enter in the appropriate sub-column (a) or (b) the sex of each person as male (M) or female (F) as the case may be. It is not necessary to write the full word. It is sufficient if the initial letter M or F as the case may be is entered in sub-column (a) or (b). Eunuchs and Hermaphrodites are to be entered as males.

Rule 6, *Column* 6.—(Civil Condition.) Enquire if each of the persons in Column 3 is married or not, or is a widower or widow, and enter the answer as it would be given as "yes" or "no" or "widower" or "widow" (using only the initial letter "W" in the last mentioned case for the sake of brevity), in sub-column (a) or (b) or (c). Thus the entry for a married person would be "yes" in sub-column (a), for an unmarried person "no" in sub-column (b), and for a widower or widow "w" in sub-column (c).

Enter prostitutes as unmarried (No), but if any of them return themselves as married enter (Yes) and ask no further questions. Persons who are recognised by custom as married are to be enterd as such even though they may not have gone through the full ceremony. Divorced persons should be treated as widowed.

Rule 7, *Column* 7.—(Age.) Enter the age on last birthday, *i.e.*, the number of years each person has completed. For infants less than one year old, enter the word "infant." If a person cannot state his or her age exactly, you should ask the relations, or *refer to some well known event of local importance* or if the person be present make a guess at the age from appearance. Do not leave the column blank.

Rule 8, *Column* 8. (a) *and* (a).—(Caste and sub-caste.) *Both* the sub-columns (a) and (b) should be filled up for Hindus and Jains *only*. For the others only the sub-column (a) should be filled up and sub-column (b) left blank. A list of the principal castes, tribes and races, etc., is given in Appendix 3.

Examples of those which occur frequently are given below :—

(*a*) For "Hindu" you should enter in sub-column (a) the caste as "Brahman," "Kshatriya," "Vaisya," "Nagartha," "Lingayita," "Vokkaliga," "Panchala," "Kuraba," "Beda," "Banajiga," "Vadda," "Holeya," "Madiga" and so on. For "Jains" enter in the sub-column (a) the caste or sect as "Digambara," "Svetambara," "Sada," etc. For "Musalmans" who do not observe caste distinction you should enter the *tribe*, etc., as "Pathan," "Moghul" "Labbe," etc. For Christians who also do not observe caste distinction enter the *race* or *nationality* as English, Scotch, Irish, etc., in the case of *foreigners*; and any racial or other distinction which may be returned among *Indian Christians*.

(*b*) In the sub-column (b) enter for Hindus and Jains only, the sub-caste returned in each case.

Rule 9, *Columns* 9, 10 *and* 11 (Occupations).

(*a*) *Scope and Correlation of the Entries.*—Columns 9 and 10 relate to "actual workers" *i.e.*, the persons male and female who do work and *earn an independent livelihood,* or who though living with others and not doing manual work derive *independent income* from private property such as pension, house rent, etc. The columns should therefore be left blank in the case of "*dependents,*" *or those who have no independent income* but are dependent upon some "actual workers" for their subsistence or means of livelihood. Column 11 relates to "dependents" and should therefore be left blank in the case of, "actual workers" or persons of independent means already disposed of in columns 9 and 10. If a person be *temporarily* out of employment enter the last or ordinary occupation.

(*b*) *Preliminary point to be ascertained.*—You should therefore first of all determine by suitable enquiry whether the person whose particulars you are entering has or has not an "*independent income.*" If the answer is in the affirmative, he or she should be treated as an "actual worker" and the *principal source of that* income entered in column 9, the subsidiary source, if any, being entered in column 10. If the answer is in the negative, he or she should be treated as a "dependent," and the principal source of income *of the person on whom he or she depends* for his or her subsistence, should be entered in column 11. Thus, women and children who actually do work, and earn independent wages such as the wives, and children of the labouring classes, those who sell firewood, buttermilk, cowdung cakes, grass, etc., or those who engage themselves as domestic or Government servants for monthly wages or those who are in receipt of independent incomes from properties which they possess in their own right should be treated as "actual workers" although in the last named case, they may not be doing any manual work, and their occupations entered in columns 9 and 10. But if a person is not in receipt of *independent income,* he or she should be treated as a dependent, although he or she may be engaged in manual labour. Examples of this are the cases of the women and children of agriculturists who actually work at home, (cooking, etc.,) or in the field, taking an active part in the pursuits of the head of the family, but who should nevertheless be treated as "dependents" because they are not in receipt of any *independent income.* The case of a person who not only does not work, but also is *not* in receipt of an independent income is quite clear and calls for no remarks.

(*c*) *Distinction between principal and subsidiary occupations.*—If a person who has more than one occupation or means of livelihood expresses a doubt as to what he should consider as his principal occupation, he should be asked which of his occupations he relies upon most for his livelihood or considers to be the most indispensable and that should be regarded as his principal occupation, and entered in column 9. The rest should be regarded as subsidiary occupations; and of these again that on which he relies the *most,* should be entered in column 10. It is not necessary to enter more than one subsidiary occupation.

(*d*) How to describe the occupations in the Schedule :—

(1) In filling up columns 9—11, you should describe the occupations in detail.

(2) Do not use vague terms such as service, Government Service, Shop-keeping trade, and so forth; but state the exact service, the goods sold in the shop, the class of articles the person is trading in, the class of writing or labour and so forth. A seller who makes the articles he sells should be entered as maker and seller of them.

(3) *Examples of detail of private service.*—In the case of private employees, domestic servants and the like, the kind of service rendered should be stated in detail, *e.g.,* Lawyer's Clerk, Rice Merchant's cook, Doctors' Syce.

(4) *Service of Government, etc.*—When a person is in the service of a public body, enter the name of that body before the service; thus Railway Guard, Municipal Sweeper, etc. In the case of persons in Mysore Government or other Public Services the exact name of the appointment and the office in which employed should be given.

(5) *Pensions, etc.*—Pensioners must be shown as Civil or Military as the case may be. Persons who live on the rent of lands or buildings in towns and cities should be described as such.

(6) *Agriculture.*—In the case of agriculture, persons should be entered as

(*a*) Non-cultivating land-holders	Corresponding to rent receivers.
(*b*) Non-cultivating tenants	
(*c*) Cultivating land-holders	Corresponding to rent payers.
(*d*) Cultivating tenants	

(*e*) Field labourers:—those regularly employed, being distinguished from those who work by the day or by the job. Gardeners and growers of special products such as coffee, cardamoms, pepper, betel, etc., should be shown separately as such.

(7) *Labourers in Mines.*—In the case of labourers, who are not agricultural labourers, they should be entered as earthworkers, labourers in mines, stating the substance mined such as stone, mica, gold, etc., and operatives in mills, workshops, of factories, specifying the kind of mill or factory, such as cotton mills, rice mills, lac factory or presses, etc.

(8) *Members of joint family.*—In the case of one or more members of a joint family who have got *independent incomes*, they should all be regarded as actual workers and their principal and subsidiary occupations should be entered in columns 9 and 10. They are not to be shown as dependents.

(9) *Domestic and other servants.* Servants are not to be shown as dependent on the occupation of their master, but treated as actual workers, the actual service performed being entered in columns 9 and 10.

Rule 10, *Column* 12.—(Birth Place). Enter the district in which each person was born; and if the person was not born in the Mysore State, add the name of the Province or State, to the district of birth. Thus "Tumkur District" "Bellary District" "Madras Presidency," "Amreli District, Baroda State" as the case may be. If the person was born out of India, enter the Country as China, Afghanistan, Ceylon, etc. The names of villages, taluks, etc., are not to be given. A list of the chief birth places returned at the last Census is given in Appendix 4.

Rule 11, *Column* 13.—(Mother Tongue). Enter the language which each person mentions as his mother language, *i.e.*, that which he ordinarily uses in conversation with his mother or other near relations. In the case of infants and deaf-mutes, the language of the mother should be entered. A list of the principal languages returned at the last Census is given in Appendix 5.

Rule 12, *Column* 14.—(Literacy). For all persons of whatever age or sex *who can both read and write any language*, enter in Column 14 "literate." A person should not be entered as "literate" unless he can write a letter to a friend and read the answer to it. If illiterate, that is, if the person does not known *both* to read and write any language at all, or knows only to sign his (or her) name, enter a zero (0), in Column 14 (b).

Rule 13, *Column* 15.—(Languages in which literate). In the case of persons, literate in several languages, first enter the language best known and then the rest.

effect that the entries have been continued on such and such a page. Blank paper should not be pasted to the end of the schedule for fresh entries.

No alteration to be made except in civil condition.

18. On this night you must make no alteration in any entry, except as regards civil condition, against the name of any person unless you have to strike out the entries altogether on the ground that he or she is no longer present. When you strike out a person you must draw the line completely through all the entries following that person's name, and not merely through column 2.

Red ink only to be used.

19. You must use *red ink only* for the entries and erasures made on the round of the 18th March.

Empty houses also to be visited.

20. In the course of this round, you must also visit every house marked "Empty" in your block list or the schedule at the preliminary enumeration, to see whether any person is living there, and to enter him like others in the manner above prescribed.

Places where travellers are likely to be found also to be visited.

21. After visiting as above all the dwelling houses, you must go tot he Chattrams, Musafirkhânas, Bandystands and other places of encampment where travellers rest for the night, and enter all particulars in the Schedules for the way farers, boatmen, pilgrims and others you may find there, and strike out the entries already made against persons who are not then present. You should ascertain from the village watchman whether any members of a wandering tribe have come to camp in your Census area. If so, you must go and enumerate them in the manner prescribed above.

Hill tribes, etc., how to be dealt with.

22. In the case of hill tribes living in the jungles and herdsmen with Amrut Mahal and other cattle who may be out in the Kavals and the Idigars and Toddy drawers who may be living out in the Toddy groves, arrangements should be made in consultation with the authorities concerned for procuring their attendance in the nearest village on the night of the Census. But they should not be enumerated as belonging to that village unless the field or kaval in which they habitually live, *also* belongs to the *same* village. For example, the kavalgars of Amrut Mahal cattle should be shown under the "Kaval village" and not the nearest village where their attendance may have been *temporarily* procured for the convenience of the Enumerator.

House-hold Schedules to be collected.

23. If any householder in your block has been given a separate schedule called Household Schedule, you should collect it while going your round on the night of the 18th March, or on the morning of the 19th March, and after seeing that the columns are properly written up according to the rules, you should stitch it on to you Enumeration Book at the end next to the cover.

Adventitious, population to be enumerated on loose-leaf schedules.

24. You will be supplied with one or two loose-leaf schedules for the enumeration of the adventitious population in your block such as travellers, etc., and with enumeration tickets to be given to them in order that they may not be counted twice. These loose schedules if filled in, should also be stitched on to the Enumeration Book like House-hold Schedules.

SECTION 4.—POST CENSUS DUTIES.

Duties on 19th March 1921.

25. On the morning of the 19th March 1921, you must meet your Supervisor at a time and place to be previously appointed. You must take with you the Enumeration Book, and house-hold and loose schedules relating to your block, and prepare under his directions, the short abstract printed on the cover of the Enumeration Book, shewing the results of the Census.

Rule 14, *Column* 16.—(Infirmities). If any person be blind of both eyes, or deaf and dumb or insane or suffering from corrosive leprosy, enter the name of the infirmity in the column. Do not enter those who are blind of one eye only, or who are suffering from white leprosy only.

Rule 15. Read the above instructions carefully and in any case of doubt or difficulty seek your Supervisor's instructions and be guided by them.

13. Examples illustrating the salient points in the foregoing instructions are given in the "Specimen Schedules" printed on the "Cover" in the "Specimen Schedules."

SECTION 3.—PROCEDURE DURING THE THIRD OR FINAL ROUND. "FINAL ENUMERATION."

Every house to be visited on final census night.

14. On the evening of the 18th March 1921, at the time of lighting lamps, you should take your Enumeration Book as already filled in, and again visit every house in the order given in the block list. Before you start on your round, you must see that you are yourself enumerated in the house where you are stopping. This does not mean that you should wait for such enumeration in case the house belonging to another Enumerator's jurisdiction, but that you should make the necessary arrangements with the enumerator concerned.

How the preliminary record shou'd be brought up to-date.

15. (*a*) You must summon the chief member of each family and read over to him one by one the entries made for his family, in the Schedule, asking him as you read each time, whether the person is present in the house or not. You must also ask him particularly whether any fresh persons have come, or any child has been born and whether any person has been married or widowed since last enumeration. You must strike out the entries for persons who are not present, and fill up the form for any person now in the house, who was not there when your previous visit was made, such as guests, infants newly born and others. You are to consider as present all persons ordinarily living in and taking their meals from the house even though at the time of your visit any of them may be asbent from the house casually, for a few hours having gone out to watch in the fields or to sleep in the chavadi or at a shop, etc., or to dine at a friend's house provided the absence in every such case is casual, and that the absentee is likely to return to the house within a few hours. But if any of them have left the house on a journey to another place by road, or by train they should be enumerated on the road, or train, or at their destination in the manner described *infra* for travellers. In the same way to avoid double enumeration you are not to reckon in any building any person merely sleeping or otherwise present there at the time of your visit, but ordinarily residing or taking his meals in a house where he will be enumerated as just directed.

(*b*) You must yourself visit each house in the block in the order of the numbering, and must not get the inhabitants to come to you, (except in the case, referred to below): nor must you send the village watchman (Toti, Talari, or Kulavadi) to enquire and report what changes have taken place since the preliminary enumeration.

Every name to be read.

16. You must not content yourself with asking generally whether there has been any change. You must (as prescribed above) ask as you read each name and description entered in column 3 at the preliminary record, whether the person is actually present or not. You must then ask the specific question whether any fresh persons have come or any child has been born. This latter point must be carefully attended to.

Where fresh entries should be made.

17. The fresh entries mentioned in the last rule must be made on the blank pages at the end of the book. In each case you must enter the number of the house to which the fresh entries relate, writing under it the word "continued" and at the same time make a note in the blank space below the original entries of the house concerned to the

SECTION 5.—MISCELLANEOUS.

Every person is legally bound to furnish information.

26. According to the Census Regulation every person is legally bound to furnish you to the best of his knowledge and belief with such information as is necessary for filling up the schedule, but you are forbidden to ask for any information not required for the purposes of Census, as for instance, the name of any female member to give whose name, objection is made, or to require a female to give her husband's name against her wishes and the custom of the country. If any person declines to furnish information on any point on which he is legally bound to furnish information you must report the case to your Supervisor who will obtain the orders of his superior officers thereon.

Enumerators Re. to receive bribes.

27. Any Enumerator receiving bribes on any account connected with the Census renders himself liable to punishment under the Census Regulation or the Penal Code.

Procedure of special Census.

28. Except to the extent provided for in the special rules made for the regulation of Special Censuses (like the Census of agricultural stock) the above rules of general procedure will also apply to all such technical Censuses.

V. R. THYAGARAJAIYAR,
Census Superintendent.

Registered No. - M. 1175.

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BANGALORE, THURSDAY, DECEMBER 23, 1920.

PART III.

Legislative Measures and Rules thereunder.

Notification No. 224—L. C., dated 27th November 1920.

Under Rule 31 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill to prevent the adulteration of Food Stuffs, is published for general information with the statement of objects and reasons.

By Order,
P. MAHADEVAYYA,
Secy., Mysore Legis. Council.

The Mysore Prevention of Adulteration Bill.

WHEREAS it is expedient, in the interests of the public health, to prevent the adulteration of food; His Highness the Maharaja is pleased to enact as follows :— **Preamble.**

1. (1) This Regulation may be called the Mysore Prevention of Adulteration Regulation 192 . **Short title and extent.**

(2) This section extends to the whole of Mysore; the rest of the Regulation shall extend only to such local areas as the Government may by notification in the Official Gazette direct, and in respect either of all food or such as the Government may specify in the notification; and, if the Government so direct, only for the duration of any market, fair or festival or other large assembly of people.

Provided that such notification shall be made only after the local authority or authorities concerned have had an opportunity of expressing an opinion as to the necessity for such extension.

2. In this Regulation unless there is something repugnant in the subject or context : **Interpretation clause.**

'food' includes every article (other than drugs or water) used by man for food or drink, and all material used or admixed in the composition or preparation of such article and shall also include flavouring matter and condiments;

'butter' and 'cheese' mean respectively butter and cheese made exclusively from milk or cream or both with or without the addition of salt or other innocuous preservative, or of innocuous colouring matter;

'ghee' means ghee prepared exclusively from butter made from cow's or buffalo's milk or cream or both;

'prescribed' means prescribed by rules made under this Regulation;

'public analyst' means any person appointed by or with the approval of the Government to exercise the powers of a public analyst under this Regulation;

'local executive officer' means, in any municipality the President or Chairman of the Municipal Council; and in or for other local areas, the President of the Taluk Board, or if there is no Taluk Board the President of the District Board, or if there is no Taluk or District Board, such public servant as may be designated by the Government for the exercise of the functions of a local executive officer under this Regulation.

Delegation of powers of local executive officers.

3. (1) The local executive officer may delegate his powers and duties under this Regulation to such persons and in such manner as may be prescribed.

(2) Every person to whom powers have been delegated under this section shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Appointment of analyst.

4. (1) The local authority having control over any local area to which any provisions of this Regulation may be extended may, subject to the approval of Government, appoint a public analyst for such area.

(2) When no public analyst has been appointed under sub-section (1), the Government may appoint one for any one or more areas to which they have extended the provisions of this Regulation, and if local authorities have been constituted for such areas, may require such authorities to defray the whole or in part and in such proportions as the Government may determine, the expenses of and connected with the appointment of the analyst and of executing this Regulation.

(3) For the enforcement of a requisition made under sub-section (2) the Government shall have all such powers of control over every local authority as are given to them in respect of any similar matter by the Regulation under which such local authority is established.

Offences and exceptions.

5. (1) Every person who

(*a*) sells any food which is not of the nature, substance or quality of the article demanded by the purchaser; or

(*b*) manufactures for sale, or offers for sale or hawks about or sells any food which is not of the nature, substance or quality which it purports, or is represented to be; or

(*c*) abstracts from any food any part of it so as to affect injuriously the nature, substance or quality thereof with intent that it should be sold in its altered state without notice of the alteration, or sells any article so altered without making disclosure of the alteration; or

(*d*) sells milk, cream, butter, ghee or cheese which is not up to the standard of purity prescribed by Government;

shall be punished for the first offence with fine which may extend to one hundred rupees and for every subsequent offence with fine which may extend to five hundred rupees.

Provided that in the following cases no offence under this section shall be deemed to have been committed :—

(*i*) where any innocuous material has been used or admixed in the composition or preparation of the food to render the same fit for carriage or consumption and not fraudulently to increase the bulk, weight or measure of the food or to conceal or debase the quality thereof; or

(*ii*) where in the process of production, collection, preparation or conveyance of the food some extraneous material has unavoidably been admixed therewith; or

(*iii*) where any innocuous material has been added or admixed or the article of the food sold is not up to the standard of purity prescribed by Government and before the sale the vendor has clearly brought the fact to the notice of the purchaser either by means of a label on or with the food or in such other manner as the Government may, by rule framed under section 20 of this Regulation, prescribe; or

(*iv*) where the food is the subject of a patent in force and is supplied in the state required by the specification thereof.

(2) In every prosecution for an offence against this section, the court may presume that any food found in the possession of a person, who is in the habit of manufacturing like articles of food, has been manufactured for sale.

Presumptions to be made and pleas to be disallowed or allowed.

6. (1) In every prosecution for an offence against the last preceding section, it shall be no defence to allege merely that the vendor was ignorant of the nature, substance or quality of the food sold by him or that the purchaser having bought only for analysis was not prejudiced by the sale.

Provided that the vendor shall not be deemed to have committed an offence under section 5, if he proves that the food was purchased by him as the same in nature, substance and quality as that demanded by the purchaser and with a written warranty to the effect that it was of such nature, substance and quality, that he had no reason to believe at the time when he sold the same that the food was not of such nature, substance or quality, and that he sold it in the same state as that in which he purchased it.

(2) Where an employer is charged with an offence under this Regulation, he shall be entitled on application duly made by him to have any other person whom he charges as the actual offender brought before the court at the time appointed for the hearing, and if, after the commission of the offence has been proved, the employer proves to the satisfaction of the court that he used due deligence to enforce the execution of this Regulation and that the said other person committed the offence without his knowledge, consent or connivance, the said other person shall be convicted and the employer shall be acquitted.

Powers of local executive officers for purposes of inspection.

7. (1) The local executive officer may without notice enter any place where articles of food are being manufactured or exposed for sale at any time by day or night when the exposure for sale or manufacture is being carried on and inspect the same and any utensil or vessel used for manufacturing, preparing or containing any such article.

(2) No claim shall lie against any local authority or any person for any damage or inconvenience necessarily caused by the exercise of powers under this section or by the use of any force necessary for effecting an entry into any place under this section.

(3) In any legal proceedings in respect of powers exercised under this section in which it is alleged that any food was not kept, exposed, hawked about, manufactured, prepared, stored, packed, or cleansed for sale, or was not intended for human food, the burden of proof shall lie on the party so alleging.

Penalty for preventing inspection.

8. Every person who shall in any manner whatsoever prevent the local executive officer or person duly authorized by him exercising his powers under the last preceding section, shall be punished, where his act does not amount to an offence under the Indian Penal Code, with a fine which may extend to fifty rupees.

Power of local executive officer to seize adulterated food, etc.

9. If any article intended for food appears to the local executive officer to be adulterated or other than what it purports or is represented to be, or if any vessel or utensil used in manufacturing, preparing or containing such article appears to violate any rule made under section 20, he may seize or carry away or secure such article, utensil or vessel, in order that the same may be dealt with as hereinafter provided.

Penalty for removing or interfering with articles seized.

10. Every person who shall remove or in any way interfere with an article secured under the last preceding section shall be punished with fine which may extend to five hundred rupees.

(*iii*) where any innocuous material has been added or admixed or the article of the food sold is not up to the standard of purity prescribed by Government and before the sale the vendor has clearly brought the fact to the notice of the purchaser either by means of a label on or with the food or in such other manner as the Government may, by rule framed under section 20 of this Regulation, prescribe ; or

(*iv*) where the food is the subject of a patent in force and is supplied in the state required by the specification thereof.

(2) In every prosecution for an offence against this section, the court may presume that any food found in the possession of a person, who is in the habit of manufacturing like articles of food, has been manufactured for sale.

Presumptions to be made and pleas to be disallowed or allowed.

6. (1) In every prosecution for an offence against the last preceding section, it shall be no defence to allege merely that the vendor was ignorant of the nature, substance or quality of the food sold by him or that the purchaser having bought only for analysis was not prejudiced by the sale.

Provided that the vendor shall not be deemed to have committed an offence under section 5, if he proves that the food was purchased by him as the same in nature, substance and quality as that demanded by the purchaser and with a written warranty to the effect that it was of such nature, substance and quality, that he had no reason to believe at the time when he sold the same that the food was not of such nature, substance or quality, and that he sold it in the same state as that in which he purchased it.

(2) Where an employer is charged with an offence under this Regulation, he shall be entitled on application duly made by him to have any other person whom he charges as the actual offender brought before the court at the time appointed for the hearing, and if, after the commission of the offence has been proved, the employer proves to the satisfaction of the court that he used due deligence to enforce the execution of this Regulation and that the said other person committed the offence without his knowledge, consent or connivance, the said other person shall be convicted and the employer shall be acquitted.

Powers of local executive officers for purposes of inspection.

7. (1) The local executive officer may without notice enter any place where articles of food are being manufactured or exposed for sale at any time by day or night when the exposure for sale or manufacture is being carried on and inspect the same and any utensil or vessel used for manufacturing, preparing or containing any such article.

(2) No claim shall lie against any local authority or any person for any damage or inconvenience necessarily caused by the exercise of powers under this section or by the use of any force necessary for effecting an entry into any place under this section.

(3) In any legal proceedings in respect of powers exercised under this section in which it is alleged that any food was not kept, exposed, hawked about, manufactured, prepared, stored, packed, or cleansed for sale, or was not intended for human food, the burden of proof shall lie on the party so alleging.

Penalty for preventing inspection.

8. Every person who shall in any manner whatsoever prevent the local executive officer or person duly authorized by him exercising his powers under the last preceding section, shall be punished, where his act does not amount to an offence under the Indian Penal Code, with a fine which may extend to fifty rupees.

Power of local executive officer to seize adulterated food, etc.

9. If any article intended for food appears to the local executive officer to be adulterated or other than what it purports or is represented to be, or if any vessel or utensil used in manufacturing, preparing or containing such article appears to violate any rule made under section 20, he may seize or carry away or secure such article, utensil or vessel, in order that the same may be dealt with as hereinafter provided.

Penalty for removing or interfering with articles seized.

10. Every person who shall remove or in any way interfere with an article secured under the last preceding section shall be punished with fine which may extend to five hundred rupees.

Sample of articles seized to be sent to the public analyst.

11. When any article of food seized under section 9 appears to the local executive officer to be adulterated or other than what it purports or is represented to be, he shall forthwith send a sample of such article to the public analyst.

Production of articles, etc., seized before magistrate and powers of magistrate to deal with them.

12. (1) Articles of food or samples thereof, utensils, or vessels seized under section 9, shall, as soon as possible, be produced before a magistrate;

Provided that where a sample of an article has been sent to the public analyst the article or sample thereof may be produced before the magistrate after receipt of the public analyst's certificate.

(2) Whether or not complaint is laid before the magistrate of any offence under the Indian Penal Code or under this Regulation, if it appears to the magistrate on taking such evidence as he thinks necessary that any such article is adulterated or other than what it purports or is represented to be, or any such utensil or vessel is of such kind or in such state as is described in section 9 he may order the same

(*a*) to be forfeited to the local authority, or

(*b*) to be destroyed at the charge of the owner or person in whose possession it was at the time of seizure, in such manner as to prevent the same being again exposed or hawked about for sale or used for human food or for the manufacture or preparation of or for containing any such article as aforesaid.

Purchaser may have food analysed.

13. (1) Any purchaser of any article of food shall be entitled, if a public analyst has been appointed for the area within which such article is purchased, on payment of such fees as may be prescribed by the authority appointing the analyst, to have such article analysed by such public analyst and to receive from him a certificate of the result of his analysis.

(2) Before submitting such article to be analysed as aforesaid the purchaser shall notify to the seller his intention to have it so analysed; and the public analyst on receiving such article for analysis shall devide it into three parts, of which one is to be analysed, another to be retained by him in order to be returned with his certificate and the third to be delivered on demand to the seller; provided that each part other than the part analysed, shall be marked and sealed or fastened up in such manner as its nature permits.

Power of local executive officer to purchase samples for analysis.

14. (1) The local executive officer may purchase a sample of any article of food from any person exposing such article for sale or from any person who is in the course of delivering or preparing to deliver it to a purchaser or consignee, and may submit it to be analysed by the public analyst appointed for the area within which such sample has been procured.

(2) Every such person who refuses to sell such sample to the local executive officer or any person duly authorized by him at the price at which he usually sells the article shall be punished with fine which may extend to Rs. 100.

Procedure when article is purchased for analysis.

15. (1) When the local executive officer or any other person purchases a sample of food with the intention of submitting it to be analysed by the public analyst, he shall notify to the person from whom he has purchased the article his intention to have it analysed and shall divide it in three parts to be then and there separated, and each part to be marked and sealed or fastened up in such manner as its nature permits and shall deliver one of the said parts to the seller and retain another of the parts for production in case proceedings are taken and submit the third part, if he deems it right to have the articles analysed, to the public analyst.

(2) If the seller declines to accept one of the parts, the public analyst receiving a sample for analysis shall divide it into two parts and shall seal or fasten up one of those parts and shall cause it, either upon receipt of the sample or when he delivers his certificate, to be delivered to the purchaser or to the local executive officer who shall retain it for production in case proceedings are taken.

Public analyst's certificate.

16. (1) Every public analyst to whom a sample has been submitted under this Regulation shall deliver to the person so submitting it a certificate in the form prescribed in the schedule to this Regulation, or to the like effect, specifying the result of his analysis.

(2) Any document purporting to be such certificate signed by a public analyst may be used as evidence of the facts stated therein in any proceedings under this Regulation or under sections 272 to 276 of the Indian Penal Code.

Provided that any court before which a case under this Regulation may be pending, whether exercising original, appellate or revisional jurisdiction, may in its discretion, at the request either of the accused or of the complainant, cause any article of food to be sent for analysis to the Chemical Examiner to Government or to any public analyst designated for the purpose by Government, who shall thereupon analyse the same and report the result of such analysis to the said court: and the expense of such analysis shall be paid by the accused or the complainant, as the court may by order direct.

Jurisdiction of magistrates.

17. Third class magistrates shall not try any offence under this Regulation unless they have been generally or specially empowered in this behalf by Government.

Institution of proceedings in courts.

18. No prosecution under this Regulation shall be instituted except on the complaint of the purchaser or with the consent in writing of the local executive officer.

No proceedings to be instituted more than three months after the offence.

19. No prosecution under this Regulation shall be commenced after the expiry of three months after the commission of the offence.

Power of Government to make rules.

20. Government may, after previous publication, make rules consistent with this Regulation for the whole or any part of the area to which this Regulation may have been extended—

(*a*) prescribing the classes or qualifications of persons to whom and the conditions on which the local executive officer may under section 3 delegate his powers;

(*b*) determining the limits within which the local executive officer may exercise his powers whether such limits are within or without the local area in respect of which he holds any public office;

(*c*) prescribing in the interests of the public health the state in which utensils and vessels used for manufacturing, preparing, or containing any food intended for sale shall be kept, and prohibiting the use of utensils and vessels made, in whole or in part, of materials likely to injure such food;

(*d*) prescribing the manner in which notice of any addition, admixture or deficiency shall be given to the purchaser of any article of food;

(*e*) prescribing standards of purity for milk, cream, butter, ghee and cheese, and determining what deficiency in any of the normal constituents of these articles or what addition of any extraneous matter or proportion of water in any of the same or any preparation of the same shall for the purposes of this Regulation raise a presumption until the contrary is proved that the milk, cream, butter, ghee or cheese is not genuine, or is injurious to health;

And providing for fines not exceeding rupees one hundred in the case of a first offence and rupees five hundred for every subsequent offence by way of penalty for breach of rules made under clauses (*c*) and (*d*).

Power of local authorities to make bye-laws.

21. Every local authority exercising control over any local area to which this Regulation has been extended may, under the provisions respecting the making of bye-laws of the Regulation under which such local authority is established, make bye-laws not inconsistent with this Regulation or rules made under the last preceding section for all the purposes of this Regulation and in particular, without prejudice to the generality of the power hereby given, for the prevention of the manu-

facture or preparation for sale, the exposure for sale, or hawking about, or the sale of articles of food, which are adulterated or other than what they purport or are represented to be and the inspection and the regulation of places in which such articles are kept, stored, packed, cleansed, manufactured, prepared or exposed for sale, hawked about or sold.

22. The provisions of sections 2 to 21 of this Regulation shall be read as supplemental to the Regulation under which the local authority concerned is constituted.

SCHEDULE.

Form of Certificate.

* Here insert the name of the person submitting the article for analysis.

† Here insert the name of the person delivering the sample. If the sample is received by post or by railway, entry should be made accordingly.

‡ When the article cannot be conveniently weighed, this passage may be erased or the blank may be left unfilled.

§ Here the analyst may insert at his discretion his opinion as to whether the mixture (if any) was for the purpose of rendering the article potable or palatable, or of preserving it, or of improving the appearance, or was unavoidable, and may state whether in excess of what is ordinary or otherwise, and whether the ingredients or materials mixed are or are not injurious to health.

To*

I, the undersigned, public analyst for the , do hereby certify that I received on the day of 19 from † a sample of for analysis (which then weighed ‡) and have analysed the same and declare the result of my analysis to be as follows :—

I am of opinion that the same is a sample of genuine or

I am of opinion that the said sample contained the parts as under, or the percentages of foreign ingredients as under :—

§ Observations.

Signed this day of 19 .

, A.B.

at

In the case of a certificate regarding milk, butter, ghee or any article liable to decomposition, the analyst shall specially report whether any change had taken place in the constitution of the article that would interfere with the analysis.

STATEMENT OF OBJECTS AND REASONS.

The question of legislating for the prevention of adulteration of milk was mooted in the Representative Assembly in October 1917.

The evil arising from adulteration of milk and also of other food stuffs like ghee, oil, etc., is growing especially in large towns and cities and in view of the strong popular opinion in favour of legislation to check adulteration, Government consider that the time has come to take action for the prevention of adulteration of all food stuffs. This Bill has accordingly been drafted on the lines of the Madras Prevention of Adulteration Act, 1918. Power is reserved to apply the provisions of the Bill in large Municipalities and other areas where adequate facilities exist for the appointment of public analysts and constant inspection of places where food stuffs are manufactured or sold.

Notification No. 223—L. C., dated 26th November 1920.

Under Rule 31 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill further to amend the Mysore Municipal Regulation, 1906 is published for general information with the statement of objects and reasons.

By Order,

P. MAHADEVAYYA,

Secy. to Govt., Mysore Legis. Council.

A BILL FURTHER TO AMEND THE MYSORE MUNICIPAL REGULATION, VI OF 1906.

Whereas it is expedient further to amend the Mysore Municipal Regulation, 1906; His Highness the Maharaja is pleased to enact as follows :—

Amendment of S. 15.

1. In clause (*e*) of sub-section (1) of Section 15 of the Regulation, after the words "who is a" the following words shall be inserted :—

"Councillor at the date of election or a".

Amendment of S. 26.

2. (1) In paragraph (*a*) of sub-section (14) of Section 26 of the Regulation, for the words "The Executive Engineer, Educational Inspector and the Civil Surgeon in a district", the words "The Executive Engineer, Educational Inspector and the Health Officer in a district or the District Medical Officer" shall be substituted.

(2) In paragraph (*b*) of the same sub-section for the words "Civil Surgeon", the words "the District Medical Officer" shall be substituted.

(3) In the explanation at the end of Section 26, for the words "Civil Surgeon" the words "the District Medical Officer" shall be substituted.

Amendment of S. 31.

3. In Section 31, for the word "one-third" after the words "shall not exceed" the word "one-half" shall be substituted.

Amendment of S. 48.

4. (1) After sub-clause (ii) of Clause (*b*) under sub-section (1 of Section 48, the following new sub-clause shall be inserted :—

"(iiA) as a hotel, bakery, sweetmeat shop or otherwise for the preparation, manufacture or sale of articles intended for human food or drink."

(2) In sub-clause (iii) of Clause (*b*) under the same sub-section the following shall be inserted :—

"or for any other purpose for which the taking out of a license is or may be prescribed".

(3) Clause (*c*) under the same sub-section shall be cancelled.

(4) In sub-section (1) of the same section the following shall be inserted between clauses (*o*) and (*p*) :—

"(oo) regulating the conditions for the disposal of houses constructed for the use of the poor."

(5) In clause (*p*) of the same sub-section, between the words "foundations" and "roofs" the word "floors" shall be inserted.

(6) At the end of the same clause after the semicolon the following words shall be added :—

"and prescribing a time limit for the construction of new buildings or the alteration of the old".

(7) After clause (*p*) the following new clause shall be added :—

"(pp) regulating the construction of grain shops and grain stores in accordance with the provisions of Section 95A".

(8) In clause (*r*) of the same sub-section the words "and for rendering the buildings rat-proof", shall be added after the words "for securing a free circulation of air".

(9) After clause (*v*) of the same sub-section the following new clause shall be added :—

"(vv) regulating traffic in streets".

Addition of a proviso to S. 51.

5. In Section 51 of the Regulation the following proviso shall be added after proviso (*b*) :—

"(*c*) in the case of an alienated village, the rights, if any, of the holder of such village, to the enjoyment of any tax or other item of revenue shall be regulated from time to time by the orders of the Government".

Addition of a proviso to S. 52.

6. In Section 52 after the first paragraph the following additional proviso shall be inserted :—

"Provided that any funds granted to the Municipal Council by the Government for economic work shall be applied exclusively for such work and in accordance with such instructions as the Government may lay down either generally or specifically in this behalf."

Amendment of S. 53 A

7. At the end of Section 53 A, after the word "Regulation," the words "or for the purpose mentioned in clause (*bb*) of Section 56" shall be added.

Addition of a new clause to S. 56.

8. The following new clause shall be added after clause (*b*) under Section 56 of the Regulation:—

"(bb) Constructing for the habitation of the poor suitable sanitary houses."

Addition of a new Section 91 A.

9. After Section 91 and under the heading "(2) powers to regulate buildings, etc.," the following new section shall be inserted as Section 91 A, namely:—

Resumption of site not built upon, within the prescribed time.

"91 A. (1) Where the term prescribed or extended, as the case may be, under any bye-law framed by a Municipal Council in this behalf for the construction of a building on a vacant land has elapsed, and no substantial progress has been made in the construction of the building, according to the approved plan by the grantee, purchaser or transferee of the site it shall be competent for the Municipal Council to resume the site with any building existing thereon after giving the owner of the land, or if the owner cannot be found or ascertained, the person in possession, such notice as the Municipal Council may fix in this behalf, and to dispose of the same by public auction or otherwise for building purposes, after publication of a notice to that effect in the official Gazette not less than three months prior to the date fixed for the sale. On such resumption the land together with the building, if any, thereon, shall vest in the Municipal Council free of all encumbrances (excepting those if any, in favour of Government) created by the owner or any person claiming from him, subject, however, to the proviso that such owner or person claiming from him, shall be entitled to payment from the Municipal Funds of the amount realised by the Municipal Council from the disposal, less any charges incurred for such disposal and resumption.

Provided that where the vacant land had been alienated by the Municipal Council prior to 1st January 1921, the Municipal Council shall not take action under this section unless three years shall have elapsed from the date fixed for the completion of the building.

Provided also that where a vacant land is not in possession of any one and the Municipal Council is satisfied after enquiry that the owner cannot be found, the notice to the owner or the person in possession may be dispensed with.

By Municipal Councils specially authorised.

(2) The powers conferred under sub-section (1) shall be exercised only by such Municipal Councils as may be specially authorised by Government in this behalf.

Sale of vacant land on which taxes have not been paid for six years.

(3) Where no taxes have been paid on a vacant land for a period of six years, and the Municipal Council is satisfied after enquiry that the owner cannot be found, it shall be competent to the Municipal Council to sell the land by public auction or otherwise for building purposes after publication of a notice to that effect in the official Gazette not less than three months prior to the date fixed for the sale. On such sale the land together with the building, if any, thereon shall vest in the purchaser or transferee free of all encumbrances (excepting those, if any, in favour of Government or the Municipal Council) created by the owner subject, however, to the proviso that such owner or person claiming from him shall be entitled to payment from the Municipal Funds of the amount realised by the Municipal Council from the disposal less the taxes and other charges incurred for such disposal".

Addition of a new Section, 95 A.

10. After Section 95 the following new section shall be added:—

Rat-proof building for grain shop or grain store.

"95A. The Municipal Council may require that any building, used as a grain shop or grain store or proposed to be constructed for such purpose, shall be reconstructed, altered or erected, as the case may be, so as to prevent the infestation of rats in or about such building

and may for this purpose prescribe the plan and design to be adopted and the nature and quality of the materials to be used for such building.

Provided that the provisions of this section shall be enforceable only in such areas as may be notified by the Government in the official Gazette from time to time."

Addition of a new Section 137 A.

11. After Section 137 the following new section shall be inserted as Section 137-A :—

Factories in crowded localities.

"137-A. (1) No person shall newly establish in any premises any factory, workshop or work-place in which it is intended that steam, water, electrical or other mechanical power shall be employed, without the previous written permission of the President.

(2) The President may refuse to give such permission, if he be of opinion that the establishment of such factory, workshop or work-place in the proposed position is objectionable by reason of the density of the population in the neighbourhood thereof, or will be a nuisance to the inhabitants of the neighbourhood or in any other manner, contravenes the terms of any bye-laws framed in this behalf."

Addition of a new Section 138 A.

12. After Section 138 the following new section shall be inserted :—

Use of siren or whistle for summoning or dismissing workmen.

"138-A. (1) No person shall without a license granted by the President use or employ in any factory or any other place, any siren, whistle or trumpet operated by steam, mechanical power or electricity for the purpose of summoning or dismissing workmen or persons employed.

Whoever uses or employes any such siren, whistle or trumpet as aforesaid without a license or in contravention of any of the conditions of such license shall be punished with fine which may extend to fifty rupees."

Addition of a new Section 165 A.

13. After Section 165 of the Regulation the following new section shall be added as Section 165-A :—

Power to compound offences.

"165 A. (1) The Government may empower any Municipal Council, or its President, Vice-President or Chief Officer to accept from any person, against whom, a reasonable suspicion exists that he has committed an offence against this Regulation or any rule or bye-law thereunder, a sum of money by way of composition for such offence;

Provided that no offence which falls under any provisions of the Indian Penal Code shall be compounded otherwise than in accordance with the provisions of Section 345 of the Code of Criminal Procedure.

(2) On payment of such sum of money such person, if in custody shall be discharged and no further proceedings shall be taken against him in regard to the offence or alleged offence so compounded.

(3) Sums paid by way of composition under this section shall be credited to the Municipal Fund.

(4) The power under sub-section (1) to compound offences may be given whether generally under this Regulation and the rules and bye-laws thereunder, or particularly in regard only to individual offences of a specified class and may at any time be withdrawn by the Government.

(5) Any sum of money accepted as composition under sub-section (1) shall not exceed the amount of fine fixed for the offence in the Regulation or in any rule or bye-law thereunder or rupees fifty, whichever is less.

(6) The Government may make rules to regulate the proceedings of persons empowered to compound offences under this section.

Amendment of Section 180-A.

14. In Section 180-A of the Regulation, the words "and the Sringeri Municipal Council" shall be added after the words "City Municipal Council."

STATEMENT OF OBJECTS AND REASONS.

The present Regulation having been found from experience to be defective, a number of suggestions have been received for amending the Regulation. The Bill has accordingly been prepared. The notes on clauses attached to this explain the scope and object of these amendments.

NOTES ON CLAUSES.

Clause 1.—This is intended to disqualify persons who are already Municipal Councillors from standing for election to the Council without resigning their seats on the Council.

Clause 2.—This makes only a change in the nomenclature so as to be in conformity with the current designation of the District Sanitary officers.

Clause 3.—Under the provisions of Section 31 the number of persons not being Councillors who can be appointed on any Committee should not exceed one-third the number on such Committee. This proportion is proposed to be increased to one half so as to provide for a larger association in Municipal Administration (especially in connection with economic work) of earnest and enthusiastic workers outside the Municipal Council.

Clause 4.—*Sub-clauses* (1), (2) *and* (3).—These sub-clauses are intended to provide for greater control over hotel-keepers, bakers, etc., in the interests of public health by providing for the framing of bye-laws to regulate the grant of licenses for the establishment of hotels, etc. Provision is also made generally for the regulation of the grant of licenses by the framing of bye-laws.

Sub-clause (4) *of clause* 4 *and clauses* 7 *and* 8.—Provision is made in these sub-clauses for enabling Municipal Councils to make proper arrangements for housing the poor.

Sub-clauses (5), (7) *and* (8) *of clause* 4 *and clause* 10.—Provision is made to enable Municipal Councils to frame bye-laws for insisting on the construction of rat-proof houses and shops as a safe-guard against plague infection in affected areas.

Sub-clause (9) *of clause* 4.—This is intended to enable Municipal Councils to frame bye-laws for prohibiting double riding on bicycles and such other acts as are prejudicial to public safety.

Clause 5.—This clause is intended to regulate the rights of holders of alienated villages over taxes or other items of revenue accruing within the respective areas which may be constituted into Municipalities.

Clause 6.—This is intended to ensure the expenditure of the sum allotted for economic work in Municipal areas exclusively for that purpose.

Clause 9.—It is reported that there are many building sites in the cities of Bangalore and Mysore and in other Municipal towns which have been allowed by the owners to remain vacant for a number of years. Some of these seem to have been purchased more for speculation than for purposes of building. It is necessary to put down this evil of leaving vacant sites in an uncared for and insanitary condition in the midst of well laid out extensions. It is now proposed to provide for resumption of the vacant land, if no building is constructed within the prescribed or extended time, as the case may be, sufficient notice being given of the same to the owner or occupier.

Clause 11.—The new Section 137-A is intended to regulate the establishment of flour and oil mills and factories worked by electric or other mechanical power by the side of dwelling houses and crowded localities, especially in proximity to hosptials, etc., so as to put a stop to the considerable nuisance that factories are causing to the neighbourhood.

Clause 12.—Frequent complaints have been made by the residents of Bangalore that the sirens used by the mills disturb many households in the early morning. Provision is made in the new Section 138-A for controlling the use or employment of sirens.

Clause 13.—It is considered necessary to empower Municipal Councils to compound offences against the Municipal Regulation and the rules and bye-laws framed thereunder, in view especially of the trivial nature of many of the offences which cause unnecessary trouble to the Municipality and undesirable annoyance to innocent and perhaps ignorant offenders by the judicial proceedings taken in such cases at present.